



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Monday, September 22, 2003 - 7:00 p.m. – Council Chambers

AGENDA

<u>ITEM #</u>	<u>SUBJECT</u>	<u>ACTION TAKEN</u>
<u>1)</u>	<u>CALL TO ORDER/ROLL CALL</u>	All present except Vice Mayor Elza.
<u>2)</u>	<u>INVOCATION</u>	Offered by Councilman Pacheco.
	<u>SALUTE TO THE FLAG</u>	The audience participated.
<u>3)</u>	<u>AWARDS & PRESENTATIONS</u>	None.
<u>4)</u>	<u>OPEN FORUM:</u>	
	Ray's Tae Kwon Do	Kamala De Vivo of 265 South Drive urged Council to support Ray's Tae Kwon Do School by not considering an agreement with another individual to teach martial arts at the Recreation Center.
	Miami Springs Golf and Country Club	Betty Du Bois of 1025 Hunting Lodge Drive stated that the City and the residents should support the Miami Springs Golf and Country Club by attending activities on Friday and Saturday nights.
	Double Parking	Betty Du Bois of 1025 Hunting Lodge Drive stated that trucks are double parking on the City streets causing a danger to motorists.
	Decorative Lighting	Betty Du Bois of 1025 Hunting Lodge Drive stated that she does not understand why the decorative lighting on the Curtiss Parkway trees stay on for twelve hours and this represents an extra expense for the City.

- 4) Tree Planting/Home Construction Betty Du Bois of 1025 Hunting Lodge Drive was of the opinion that new trees are planted too close to the streets, and that trees are being cut down to allow the construction of large homes with driveways that extend out to the street.
- "Taste of the Springs" Betty Du Bois of 1025 Hunting Lodge Drive announced that there are many activities at the Miami Springs Golf and Country Club that the residents should support, including the "Taste of the Springs", which is being held on Sunday, September 28, 2003.
- Miami Springs Golf and Country Club Alfred Wittenberg of 107 South Royal Poinciana Boulevard said that the Miami Springs Golf and Country Club loss is expensive and the money could be used in better ways to provide assistance to the residents who are living below the poverty level.
- "Taste of the Springs" Dona Kelley of 830 Swan Avenue stated that the "Taste of the Springs" event is not listed under upcoming events on the City's website.
- Parking Requirements Dona Kelley of 830 Swan Avenue wondered why the City Planner would suggest narrowing parking spaces because the large sport utility vehicles overlap the existing parking spaces.
- Miami Springs Golf and Country Club Dona Kelley of 830 Swan Avenue stated that the Golf Course is a green space that benefits all the residents, but most people would not agree with the decision to subsidize the entertainment for a small percentage of residents. She said that it is not wise to accept a management agreement that budgets a loss for food and beverage or to enlarge the banquet facilities.
- 4) Miami Springs Golf and Country

Club: Fourth of July Activities

Hank Flowers of 180 Navajo Street stated that he supports the Country Club activities on Friday and Saturday nights and the management of the facility is now on the right track. He added that he has never seen such enthusiasm as he did during the Fourth of July at the Country Club. In his opinion, this is a direct result of the Council, Public Works Department and everyone that was involved in the activities.

New Construction

Jim Blouin, co-owner of Aquarius Rods and Tackle, 246 Westward Drive said that developers are tearing down quaint houses and trees to build large homes that are too close together.

Miami Springs Golf and Country Club

Jim Blouin, co-owner of Aquarius Rods and Tackle, 246 Westward Drive felt that it was a good idea for the City to purchase the Golf Course. He added that someone with restaurant management experience should be in charge of the Country Club.

Aquarius Rods and Tackle

Jim Blouin, co-owner of Aquarius Rods and Tackle, 246 Westward Drive said that he has been in business for thirty years in the City and they are being forced to move to Medley due to the high rent in Miami Springs. He felt that the City would not be able to attract retail businesses unless something is done to solve this problem.

City Attorney

Betty Dixon of 330 Cardinal Street said that there have been several changes in the City Council over the years but she has never seen a change in the position of City Attorney. She feels that anyone holding a position for this length of time could very easily be biased in the interpretation of the law.

4) City Attorney (Continued)

Councilman Youngs explained that the City Council evaluates the City Attorney's

performance every year at the first meeting in March.

Public Works Employees/
Meeting Times

Former Mayor J. C. "Chet" Fields of 372 Minola Drive acknowledged the Public Works employees who were present in the audience for doing a great job. Mr. Fields was of the opinion that the 7:00 p.m. meeting time is too early to allow some people to get to the meetings on time.

Ray's Tae Kwon Do

Former Mayor J. C. "Chet" Fields of 372 Minola Drive said that Ray's Tae Kwon Do is an asset to Miami Springs, and that the City should not do anything that would endanger his business.

Miami Springs Golf
and Country Club

Former Mayor J. C. "Chet" Fields of 372 Minola Drive said that the Golf Course is the green space that makes the City wonderful. He added that residents are paying high taxes, particularly those who live around the Golf Course, and more work is needed in this area.

5) APPROVAL OF COUNCIL MINUTES

- 5A) 08/25/2003 Regular Meeting Minutes of the August 25, 2003 Regular Meeting were **approved as written**.
Motion: Councilman Youngs
Second: Councilman Caudle
Vote: 4-0

6) REPORTS FROM BOARDS & COMMISSIONS

- 6A) Police and Firefighters Retirement System Minutes of the August 7, 2003 Police and Firefighters Retirement System meeting were received for information without comment.
- 6B) Education Advisory Board Minutes of the August 20, 2003 Education Advisory Board meeting were received for information without comment.

6C) Recreation Commission Cancellation Notice of the September 9, 2003 Recreation Commission meeting was received for information without comment.

7) PUBLIC HEARINGS:

**7A) Proposed Annual Budget
for Fiscal Year 2003-2004**

7A1) Resolution - Adopting Final Levying
of Taxes for FY 2003-2004

Council **adopted** a resolution adopting the final levying of Ad Valorem taxes for general operations and voted general obligation debt service for the City of Miami Springs for the Fiscal Year 2003-2004
(Resolution No. 2003-3229)
Motion: Councilman Caudle
Second: Councilman Youngs
Vote: 4-0

7A2) Resolution - Adopting Budget
for FY 2003-2004

Council **adopted** a resolution adopting the final General Fund, General Obligation Debt Service Fund, Enterprise Funds, Special Revenue Funds and Expendable Trust Fund Budgets for the Fiscal Year 2003-2004, authorizing the City Manager to proceed with implementation of service programs and projects, and prohibiting unauthorized liabilities and expenditures of funds
(Resolution No. 2003-3230)
Motion: Councilman Pacheco
Second: Councilman Caudle
Vote: 4-0

7B) Second Reading – Ordinance:
Creating Article VI - Architectural
Review Board

Council **adopted** an ordinance creating
Article VI - Architectural Review Board and

Code of Ordinance Section 151-59
establishing an Architectural Review Board,
providing for board membership, the
procedure to fill vacancies, terms of office,
term limits, board chairman and rules of
procedure, qualifications for board
membership, board meetings and record,
approval of plans, specifications and
designs, notice of review by board,
consultant services, authority to require
modifications, fees for examination of plans,
specifications and designs and expenses for
board members (**Ordinance No. 901-2003**)
Motion: Councilman Pacheco
Second: Councilman Caudle
Vote: 4-0

7C) Second Reading – Ordinance:
Amending §93-50 Garage Sales

Council **adopted** an ordinance amending
§93-50 - Garage Sales, by increasing the
number of sales permitted for the same
property during each calendar year,
providing a waiver procedure for the
required interval between sales, and creating
a procedure to evaluate if a sale was
conducted (**Ordinance No. 902-2003**)
Motion: Councilman Caudle
Second: Councilman Pacheco
Vote: 4-0

7D) Second Reading – Ordinance:
Amending §150-013 - Fences,
Landscaping and Boundary Walls

Council **adopted** an ordinance amending
§150-013 - Fences, Landscaping and
Boundary Walls, by providing a limitation
for the height of ficus hedges, and
establishing a provision prohibiting the
future planting of ficus hedges (**Ordinance
No. 903-2003**)
Motion: Councilman Pacheco
Second: Councilman Youngs
Vote: 4-0

7E) Second Reading – Ordinance:
Amending §54-06 - Tree Removal
Standards

Council **adopted** an ordinance amending
§54-06 - Tree Removal Standards, by
establishing a black olive tree replacement

program, which provides provisions governing the removal and replacement of black olive trees from private and public property (**Ordinance No. 904-2003**)

Motion: Councilman Pacheco

Second: Councilman Caudle

Vote: 4-0

- 7F) Second Reading – Ordinance:
Amending §93-13 - Maintenance of
Property by Owner

Council **adopted** an ordinance amending §93-13 - Maintenance of Property by Owner, by increasing the amount of time permitted for installation and removal of storm protection devices, providing an exception for expanded permitted usage of such devices during a calendar year, and establishing a policy of the City against improper usage (**Ordinance No. 905-2003**)

Motion: Councilman Pacheco

Second: Councilman Youngs

Vote: 4-0

- 7G) Second Reading – Ordinance:
Amending §150-002 - Definitions

Council **adopted** an ordinance amending §150-002 - Definitions, by adding thereto a new defines term for inclusion with the City Code regarding contiguous lands (**Ordinance No. 906-2003**)

Motion: Councilman Pacheco

Second: Councilman Youngs

Vote: 4-0

8) CONSENT AGENDA:

- 8A) Purchase of Small Aluminum Boat:
Police Department

Council **approved** an expenditure of \$4,969.50 for the purchase of a small aluminum boat powered by an outboard

motor needed to perform various necessary functions involving multiple bodies of water, as provided for in §31.11 (C) (1) of the City Code, to be funded from the Law Enforcement Trust Fund.

Motion: Councilman Youngs

Second: Councilman Caudle

Vote: 4-0

9) OLD BUSINESS:

9A) Appointment of City Manager

(Discussed after Agenda Item 9D)

Council **tabled** the appointment of City Manager.

Motion: Councilman Pacheco

Second: Councilman Youngs

Vote: 4-0

By consensus, Council **directed** the Administration to get a third reviewer, and to provide Council with copies of all resumes of the finalists.

9B) Resolution - Calling for a Special Election on November 18, 2003

Council **adopted** a resolution calling for the holding of a Special Election for the City on November 18, 2003; specifying the purpose of the Special Election; delineating the considerations and actions of the City Council in calling for the Special Election; providing the legal basis for the Special Election; delineating the ballot question for the Special Election; and providing authorization and direction to the City Clerk **(Resolution No. 2003-3231)**

**9B) Resolution - Calling for a Special Election on November 18, 2003
(Continued)**

Motion: Councilman Youngs

Second: Councilman Pacheco

Vice Mayor Elza: "absent"

Councilman Caudle: "aye"

Councilman Pacheco: "aye"

Councilman Youngs: "aye"

Mayor Bain: "no"

Vote: 3-1

- 9C) (Second) First Reading - Ordinance:
Porte-Cochere Structures

On first reading, Council **approved** an ordinance amending Code Sections 150-042, R-1B District; 150-043, R-1C District; and 150-044, R-1D District, by adding a provision in each ordinance section to permit the conditional construction of Porte-Cochere structures in each of the corresponding single family residential zoning districts specified.

Motion: Councilman Pacheco

Second: Councilman Youngs

Vote: 4-0

- 9D) Resolution: "No Place for
Hate™" Campaign

(Discussed after Agenda Item 8A)

Council **adopted** a resolution supporting and endorsing the "No Place for Hate™" Campaign being sponsored and promoted by the Anti-Defamation League and the Miami-Dade County Community Relations Board, and encouraging citizen participation in the campaign (**Resolution No. 2003-3232**).

Motion: Councilman Pacheco

Second: Councilman Caudle

Vote: 4-0

- 9E) License Agreement with Amaury
Bitteti: Martial Arts Instruction

Council **discussed** a proposed License Agreement with Amaury Bitteti for martial arts instruction.

Motion to deny granting the agreement.

Motion: Councilman Pacheco

Second: Councilman Caudle

Vote: 4-0

10. NEW BUSINESS:

None

11) GOLF COURSE ITEMS:

- 11A) DJB Management, Inc. Contract:
Management of the Golf Course

Council **approved** a contract with DJB Management, Inc. for management of the

Miami Springs Golf Course.
Motion: Councilman Caudle
Second: Councilman Youngs
Vote: 4-0

11B) Rhodes Brothers Miami, Inc.
Contract: Food and Beverage

Council **approved** a contract with Rhodes Brothers Miami, Inc. to manage the Food and Beverage operation at the Miami Springs Golf and Country Club.
Motion: Councilman Caudle
Second: Councilman Youngs
Vote: 4-0

12) **OTHER BUSINESS:** None

13) **REPORTS & RECOMMENDATIONS:**

13A) City Attorney None

13B) City Manager None

13C) City Council

City Parking Lot

Councilman Pacheco asked for an update on the City parking lot behind Farm Stores. Public Services Director Denise Yoezle informed Council that the bid documents were received last Friday and that the bid for the City parking lot project would be advertised by the end of the week.

13C) Canal Street Project

Councilman Caudle asked if the work on Canal Street is progressing because he does not see too much activity. Public Services Director Denise Yoezle explained that the Canal Street Streetscape Project is a 180-day project scheduled for completion in December. She assured Council the project

is moving along and it will be beautiful when completed. She added that the footbridge is a permanent pedestrian bridge.

Downtown Parking Ordinance

Councilman Pacheco requested that an agenda item be scheduled to discuss the downtown parking ordinance.

"Taste of the Springs"

Councilman Pacheco reminded everyone to attend the "Taste of the Springs" event at the Miami Springs Golf and Country Club on Sunday, September 28, 2003.

Virginia Gardens Election

Mayor Bain congratulated Virginia Gardens Mayor Spencer Deno IV on his recent victory in Virginia Gardens.

Public Works Employees

Mayor Bain thanked the Public Works employees for staying through the entire meeting.

God Bless Cookies

Mayor Bain and Councilman Caudle thanked the Miami Springs Methodist Church for delivering the God Bless Cookies to their homes.

Attendance to Council Meetings

Mayor Bain expressed his appreciation to those people who attended the meeting and said that he would like every meeting to be well attended.

14)

ADJOURN

Meeting adjourned at 9:55 p.m.